

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:16-CV-895-D

VALENCELL, INC.,

Plaintiff,

v.

BRAGI STORE, LLC,  
BRAGI NORTH AMERICA, LLC,  
and BRAGI GMBH,


Defendants.

**ORDER**

On July 20, 2017, Bragi Store, LLC, Bragi North America, LLC, and Bragi GMBH (collectively, “defendants”) moved to stay the above-captioned case pending resolution of Inter Partes Review (“IPR”) of U.S. Patent Nos. 8,923,941 and 8,929,965 before the Patent Trial and Appeal Board (“PTAB”) [D.E. 32] and filed a memorandum in support [D.E. 33]. On August 10, 2017, plaintiff Valencell, Inc., responded in opposition [D.E. 38]. On August 24, 2017, defendants replied [D.E. 39–40].

For the reasons set forth in defendants’ memorandum in support and reply, as well as the PTAB’s institution of IPR for the ‘941 and ‘965 patents [D.E. 32-2, 32-3, 32-4], a stay of this action is warranted. Thus, the court GRANTS defendants’ motion to stay [D.E. 32]. The action is STAYED pending completion of the IPR.

SO ORDERED. This 10 day of September 2017.

  
JAMES C. DEVER III  
Chief United States District Judge